

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 1, 17-19, 30, and 39 have been amended and claims 40-67 have been added. Thus, claims 1-67 are currently pending in the application and subject to examination.

In the Office Action mailed May 22, 2006, the Examiner rejected claims 17, 30-31, and 38-39 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 2002/0197991 to Anvekar et al. ("Anvekar"). The Examiner rejected claims 1-9, 16, 18-24, 29, and 32-37 under 35 U.S.C. § 103(a) as being unpatentable over Anvekar in view of WO 03/019969 to Anius ("Anius") and claims 10-15 and 25-28 as being unpatentable over Anvekar in view of Anius and further in view of U.S. Pub. No. 2003/0129991 to Allison et al. ("Allison"). It is noted that claims 1, 17-19, 30, and 39 have been amended. To the extent that the rejections remain applicable to the claims currently pending, the Applicant hereby traverses the rejection as follows.

The Applicant submits that Anvekar does not disclose or suggest a communication system including at least the combination of a mobile device including a SIM and an IMSI, wherein a signal gateway couples calls between the SIM and a first public mobile network using a first MSISDN, wherein the signal gateway couples calls between the SIM and a second public mobile network using a second MSISDN, and wherein the signal gateway couples the calls without using an additional IMSI, as recited in amended claim 1.

The invention recited in amended claim 1 involves only one IMSI. This allows the use of an HPMN IMSI without involving a partner VPMN IMSI. Thus, no matter where an SIM is roaming, only the HPMN IMSI is registered, and only one registration step is required. There is only one HLR profile at the HPMN, and only one authentication key is required for the SIM, the HPMN one. Thus, the invention recited in amended claim 1 operates without the need for a special SIM.

In contrast, Anvekar teaches a multi-IMSI system that assigns a partner VPMN IMSI to a subscriber each time a SIM is registered with a partner VPMN. The additional IMSI is sent to the SIM for an additional registration step with the local IMSI. This two step registration delays the roamer's registration with a network. Furthermore, by using an additional IMSI, the subscriber's local IMSI of a partner VPMN has a local profile at the VPMN HLR, which wastes additional partner VPMN resources on top of the local partner VPMN IMSI. In Anvekar, a local authentication key will need to be loaded into the SIM for each local IMSI, introducing potential security flaws because SIMs, today, generally do not allow key changes. Anvekar requires a special SIM and client for the mobile device of a subscriber, adding further cost and logistics to use of the system.

The Applicant submits that Anius and Allison fail to cure the deficiency in Anvekar. The Applicant further notes that Anius deals only with call signaling and does not deal with SMS to a local number, as addressed by the claimed invention. The claimed invention allows a subscriber to be reached by SMS and call on any of their MSISDNs, whether a local partners' MSISDN or a HPMN MSISDN.

For at least this combination of reasons, the Applicant submits that claim 1, as amended, is allowable over the cited art. For similar reasons, the Applicant submits that

claims 18-19, 30, and 39, as amended, are likewise allowable. As claims 1, 19, and 30 are allowable, the Applicant submits that claims 2-16, 20-29, and 31-38, which depend from allowable claims 1, 19, and 30, are allowable for at least the above noted reason and for the additional subject matter recited therein.

The Applicant submits that Anvekar does not disclose or suggest a communication system including at least means for coupling calls among the means for wireless communications and a first public mobile network using a first telephone number and for coupling calls among the means for wireless communications and a second public network using a second telephone number, wherein the means include a signal gateway at a Home Public Mobile Network (HPMN) without using a Roaming Service Provider Node (RSPN) at a partner Visitor Public Mobile Network (VPMN), as recited in amended claim 17.

The claimed system including a signal gateway at the HPMN enables a single gateway to be employed regardless of the number of partner VPMNs involved. This reduces the logistics of participant VPMNs. Furthermore, the signal gateway can control voice routing, as well as SMS delivery on any of the network MSISDN of a subscriber, which helps routing as well as billing.

In the Office Action, the Examiner admits that Anvekar does not disclose or suggest a signal gateway. Instead, Anvekar discloses a distributed architecture of RSPN nodes, wherein each partner employs a RSPN node all of which are connected by a global data network. This requires significant overhead and logistics for each partner network.

The Office Action relies on Anius as teaching a signal gateway. However, Anius also involves a node at each partner VPMN, in contrast to the claimed signal gateway at a HPMN without using a RSPN at a partner VPMN in amended claim 17.

For at least this reason, the Applicant submits that claim 17, as amended, is allowable over the cited art.

For reasons similar to those discussed above for claims 1 and 17, the Applicants submit that newly added claims 40-67 are likewise allowable over the cited art.

With regard to each of the rejections under §103 in the Office Action, it is also respectfully submitted that the Examiner has not yet set forth a *prima facie* case of obviousness. The PTO has the burden under §103 to establish a *prima facie* case of obviousness. In re Fine, 5 U.S.P.Q.2nd 1596, 1598 (Fed. Cir. 1988). Both the case law of the Federal Circuit and the PTO itself have made clear that where a modification must be made to the prior art to reject or invalidate a claim under §103, there must be a showing of proper motivation to do so. The mere fact that a prior art reference could arguably be modified to meet the claim is insufficient to establish obviousness. The PTO can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references. Id. In order to establish obviousness, there must be a suggestion or motivation in the reference to do so. See also In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) (prior art could not be turned upside down without motivation to do so); In re Rouffet, 149 F.3d 1350 (Fed. Cir. 1998); In re Lee, 277 F.3d 1338 (Fed. Cir. 2002).

The Office Action merely states that the invention is obvious in light of the cited references, which is an insufficient showing of motivation. See Office Action at pages 6-11.

CONCLUSION

For the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited art. Accordingly, withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 with reference to Attorney Docket No. 028327-00068.

Respectfully submitted,

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